

# LEADVILLE MINE DRAINAGE TUNNEL REMEDIATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 5511, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 5511, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 6041

Mr. CARTER. Mr. Speaker, I would like to have my name removed as a cosponsor for H.R. 6041.

The SPEAKER pro tempore (Mr. BLUMENAUER). Is there objection to the request of the gentleman from Texas?

There was no objection.

## FEDERAL EMPLOYEES PAID PARENTAL LEAVE ACT OF 2008

Mr. DAVIS of Illinois. Mr. Speaker, pursuant to House Resolution 1277, I call up the bill (H.R. 5781) to provide that 8 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5781

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Employees Paid Parental Leave Act of 2008".

### SEC. 2. PAID PARENTAL LEAVE UNDER TITLE 5.

(a) AMENDMENT TO TITLE 5.—Subsection (d) of section 6382 of title 5, United States Code, is amended—

(1) by redesignating such subsection as subsection (d)(1);

(2) by striking "subparagraph (A), (B), (C), or" and inserting "subparagraph (C) or"; and

(3) by adding at the end the following:

"(2) An employee may elect to substitute for any leave without pay under subparagraph (A) or (B) of subsection (a)(1) any paid leave which is available to such employee for that purpose.

"(3) The paid leave that is available to an employee for purposes of paragraph (2) is—

"(A) 8 administrative workweeks of paid parental leave under this subparagraph in connection with the birth or placement involved; and

"(B) any annual or sick leave accrued or accumulated by such employee under subchapter I.

"(4) Nothing in this subchapter shall be considered to require—

"(A) that an employing agency provide paid sick leave in any situation in which such employing agency would not normally be required to provide such leave; or

"(B) that an employee first use all or any portion of the leave described in subparagraph (B) of paragraph (3) before being allowed to use the paid parental leave described in subparagraph (A) of paragraph (3).

"(5) Paid parental leave under paragraph (3)(A)—

"(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing agency;

"(B) shall not be considered to be annual or vacation leave for purposes of section 5551 or 5552 for any other purpose; and

"(C) if not used by the employee before the end of the 12-month period (as referred to in subsection (a)(1)) to which it relates, shall not accumulate for any subsequent use.

"(6) The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this subsection, including, subject to paragraph (4)(B), the manner in which an employee may designate any day or other period as to which such employee wishes to use paid parental leave described in paragraph (3)(A)."

(b) EFFECTIVE DATE.—The amendments made by this section shall not be effective with respect to any birth or placement occurring before the end of the 6-month period beginning on the date of the enactment of this Act.

### SEC. 3. PAID PARENTAL LEAVE FOR CONGRESSIONAL EMPLOYEES.

(a) AMENDMENT TO CONGRESSIONAL ACCOUNTABILITY ACT.—Section 202 of the Congressional Accountability Act of 1995 (2 U.S.C. 1312) is amended—

(1) in subsection (a)(1), by adding at the end the following: "In applying section 102(a)(1)(A) and (B) to covered employees, subsection (d) shall apply.";

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (c) the following:

"(d) SPECIAL RULE FOR PAID PARENTAL LEAVE FOR CONGRESSIONAL EMPLOYEES.—

"(1) SUBSTITUTION OF PAID LEAVE.—A covered employee taking leave without pay under subparagraphs (A) or (B) of section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) may elect to substitute for any such leave any paid leave which is available to such employee for that purpose.

"(2) AMOUNT OF PAID LEAVE.—The paid leave that is available to a covered employee for purposes of paragraph (1) is—

"(A) the number of weeks of paid parental leave in connection with the birth or placement involved that correspond to the number of administrative workweeks of paid parental leave available to Federal employees under section 6382(d)(3)(A) of title 5, United States Code; and

"(B) any additional paid vacation or sick leave provided by the employing office to such employee.

"(3) LIMITATION.—Nothing in this section shall be considered to require—

"(A) that an employing office provide paid sick leave in any situation in which such employing office would not normally be required to provide such leave; or

"(B) that a covered employee first use all or any portion of the leave described in subparagraph (B) of paragraph (2) before being allowed to use paid parental leave described in subparagraph (A) of paragraph (2).

"(4) ADDITIONAL RULES.—Paid parental leave under paragraph (2)(A)—

"(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing office; and

"(B) if not used by the covered employee before the end of the 12-month period (as re-

ferred to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1))) to which it relates, shall not accumulate for any subsequent use."

(b) EFFECTIVE DATE.—The amendments made by this section shall not be effective with respect to any birth or placement occurring before the end of the 6-month period beginning on the date of the enactment of this Act.

### SEC. 4. CONFORMING AMENDMENT TO FAMILY AND MEDICAL LEAVE ACT FOR GAO AND LIBRARY OF CONGRESS EMPLOYEES.

Section 102(d) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(d)) is amended by adding at the end the following:

"(3) SPECIAL RULE FOR GAO AND LIBRARY OF CONGRESS EMPLOYEES.—

"(A) SUBSTITUTION OF PAID LEAVE.—An employee of an employer described in section 101(4)(A)(iv) taking leave under subparagraphs (A) or (B) of subsection (a)(1) may elect to substitute for any such leave any paid leave which is available to such employee for that purpose.

"(B) AMOUNT OF PAID LEAVE.—The paid leave that is available to an employee of an employer described in section 101(4)(A)(iv) for purposes of paragraph (1) is—

"(i) the number of weeks of paid parental leave in connection with the birth or placement involved that correspond to the number of administrative workweeks of paid parental leave available to Federal employees under section 6382(d)(3)(A) of title 5, United States Code; and

"(ii) any additional paid vacation or sick leave provided by such employer.

"(C) LIMITATION.—Nothing in this paragraph shall be considered to require—

"(i) that an employer described in section 101(4)(A)(iv) provide paid sick leave in any situation in which such employer would not normally be required to provide such leave; or

"(ii) that an employee of such an employer first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use paid parental leave described in clause (i) of such subparagraph.

"(D) ADDITIONAL RULES.—Paid parental leave under subparagraph (B)(i)—

"(i) shall be payable from any appropriation or fund available for salaries or expenses for positions with employers described in section 101(4)(A)(iv); and

"(ii) if not used by the employee of such employers before the end of the 12-month period (as referred to in subsection (a)(1)) to which it relates, shall not accumulate for any subsequent use."

### SEC. 5. STUDY.

(a) IN GENERAL.—Not later than 12 months after the date of the enactment of this Act, the Government Accountability Office shall study and submit to Congress a written report on the feasibility and desirability of providing an insurance benefit to Federal employees which affords partial or total wage replacement with respect to periods of qualified leave.

(b) PERIOD OF QUALIFIED LEAVE.—For purposes of this section, the term "period of qualified leave", as used with respect to a Federal employee, means any period of leave under section 6382 of title 5, United States Code, which would otherwise be leave without pay, and which is available by reason of—

(1) the need to care for the spouse or a son, daughter, or parent of the employee having a serious health condition; or

(2) a serious health condition affecting the employee that renders such employee unable to perform the functions of the employee's position.

(c) MATTERS FOR INCLUSION.—The report shall include, at a minimum, the following:

(1) A brief description of any plans or arrangements under which similar benefits are currently provided to employees in this country (within the private sector or State or local government) or in other countries.

(2) With respect to any plans or arrangements under which such benefits are currently provided to private or public sector employees in this country—

(A) the portion or percentage of wages typically replaced;

(B) how those benefits are generally funded, including in terms of the employer and employee shares;

(C) whether employee coverage is optional or automatic; and

(D) any waiting period or other conditions which may apply.

(3) Identification and assessment of any plans or arrangements described under the preceding provisions of this subsection (or any aspects thereof) which might be particularly relevant to designing the insurance benefit (described in subsection (a)) for Federal employees, including how such benefit might be coordinated with annual leave, sick leave, or any other paid leave available to an employee for the purpose involved.

The SPEAKER pro tempore. Pursuant to House Resolution 1277, the amendment in the nature of a substitute printed in the bill is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 5781

Be enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Employees Paid Parental Leave Act of 2008”.

#### SEC. 2. PAID PARENTAL LEAVE UNDER TITLE 5.

(a) AMENDMENT TO TITLE 5.—Subsection (d) of section 6382 of title 5, United States Code, is amended—

(1) by redesignating such subsection as subsection (d)(1);

(2) by striking “subparagraph (A), (B), (C), or” and inserting “subparagraph (C) or”; and

(3) by adding at the end the following:

“(2) An employee may elect to substitute for any leave without pay under subparagraph (A) or (B) of subsection (a)(1) any paid leave which is available to such employee for that purpose.

“(3) The paid leave that is available to an employee for purposes of paragraph (2) is—

“(A) subject to paragraph (6), 4 administrative workweeks of paid parental leave under this subparagraph in connection with the birth or placement involved; and

“(B) any annual or sick leave accrued or accumulated by such employee under subchapter I.

“(4) Nothing in this subchapter shall be considered to require—

“(A) that an employing agency provide paid sick leave in any situation in which such employing agency would not normally be required to provide such leave; or

“(B) that an employee first use all or any portion of the leave described in subparagraph (B) of paragraph (3) before being allowed to use the paid parental leave described in subparagraph (A) of paragraph (3).

“(5) Paid parental leave under paragraph (3)(A)—

“(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing agency;

“(B) shall not be considered to be annual or vacation leave for purposes of section 5551 or 5552 or for any other purpose; and

“(C) if not used by the employee before the end of the 12-month period (as referred to in

subsection (a)(1)) to which it relates, shall not accumulate for any subsequent use.

“(6) The Director of the Office of Personnel Management—

“(A) may promulgate regulations to increase the amount of paid parental leave available to an employee under paragraph (3)(A), to a total of not more than 8 administrative workweeks, based on the consideration of the following factors:

“(i) the benefits provided to the Federal Government of offering paid parental leave, including enhanced recruitment and retention of employees;

“(ii) the cost to the Federal Government of increasing the amount of paid parental leave that is available to employees;

“(iii) trends in the private sector and in State and local governments with respect to offering paid parental leave;

“(iv) the Federal Government’s role as a model employer; and

“(v) such other factors as the Director considers necessary; and

“(B) shall prescribe any regulations necessary to carry out this subsection, including, subject to paragraph (4)(B), the manner in which an employee may designate any day or other period as to which such employee wishes to use paid parental leave described in paragraph (3)(A).”.

(b) EFFECTIVE DATE.—The amendments made by this section shall not be effective with respect to any birth or placement occurring before the end of the 6-month period beginning on the date of the enactment of this Act.

#### SEC. 3. PAID PARENTAL LEAVE FOR CONGRESSIONAL EMPLOYEES.

(a) AMENDMENT TO CONGRESSIONAL ACCOUNTABILITY ACT.—Section 202 of the Congressional Accountability Act of 1995 (2 U.S.C. 1312) is amended—

(1) in subsection (a)(1), by adding at the end the following: “In applying section 102(a)(1)(A) and (B) to covered employees, subsection (d) shall apply.”;

(2) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(3) by inserting after subsection (c) the following:

“(d) SPECIAL RULE FOR PAID PARENTAL LEAVE FOR CONGRESSIONAL EMPLOYEES.—

“(1) SUBSTITUTION OF PAID LEAVE.—A covered employee taking leave without pay under subparagraphs (A) or (B) of section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) may elect to substitute for any such leave any paid leave which is available to such employee for that purpose.

“(2) AMOUNT OF PAID LEAVE.—The paid leave that is available to a covered employee for purposes of paragraph (1) is—

“(A) the number of weeks of paid parental leave in connection with the birth or placement involved that correspond to the number of administrative workweeks of paid parental leave available to Federal employees under section 6382(d)(3)(A) of title 5, United States Code; and

“(B) any additional paid vacation or sick leave provided by the employing office to such employee.

“(3) LIMITATION.—Nothing in this section shall be considered to require—

“(A) that an employing office provide paid sick leave in any situation in which such employing office would not normally be required to provide such leave; or

“(B) that a covered employee first use all or any portion of the leave described in subparagraph (B) of paragraph (2) before being allowed to use paid parental leave described in subparagraph (A) of paragraph (2).

“(4) ADDITIONAL RULES.—Paid parental leave under paragraph (2)(A)—

“(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing office; and

“(B) if not used by the covered employee before the end of the 12-month period (as referred

to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1))) to which it relates, shall not accumulate for any subsequent use.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall not be effective with respect to any birth or placement occurring before the end of the 6-month period beginning on the date of the enactment of this Act.

#### SEC. 4. CONFORMING AMENDMENT TO FAMILY AND MEDICAL LEAVE ACT FOR GAO AND LIBRARY OF CONGRESS EMPLOYEES.

Section 102(d) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(d)) is amended by adding at the end the following:

“(3) SPECIAL RULE FOR GAO AND LIBRARY OF CONGRESS EMPLOYEES.—

“(A) SUBSTITUTION OF PAID LEAVE.—An employee of an employer described in section 101(4)(A)(iv) taking leave under subparagraphs (A) or (B) of subsection (a)(1) may elect to substitute for any such leave any paid leave which is available to such employee for that purpose.

“(B) AMOUNT OF PAID LEAVE.—The paid leave that is available to an employee of an employer described in section 101(4)(A)(iv) for purposes of paragraph (1) is—

“(i) the number of weeks of paid parental leave in connection with the birth or placement involved that correspond to the number of administrative workweeks of paid parental leave available to Federal employees under section 6382(d)(3)(A) of title 5, United States Code; and

“(ii) any additional paid vacation or sick leave provided by such employer.

“(C) LIMITATION.—Nothing in this paragraph shall be considered to require—

“(i) that an employer described in section 101(4)(A)(iv) provide paid sick leave in any situation in which such employer would not normally be required to provide such leave; or

“(ii) that an employee of such an employer first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use paid parental leave described in clause (i) of such subparagraph.

“(D) ADDITIONAL RULES.—Paid parental leave under subparagraph (B)(i)—

“(i) shall be payable from any appropriation or fund available for salaries or expenses for positions with employers described in section 101(4)(A)(iv); and

“(ii) if not used by the employee of such employers before the end of the 12-month period (as referred to in subsection (a)(1)) to which it relates, shall not accumulate for any subsequent use.”.

“(C) LIMITATION.—Nothing in this paragraph shall be considered to require—

“(i) that an employer described in section 101(4)(A)(iv) provide paid sick leave in any situation in which such employer would not normally be required to provide such leave; or

“(ii) that an employee of such an employer first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use paid parental leave described in clause (i) of such subparagraph.

“(D) ADDITIONAL RULES.—Paid parental leave under subparagraph (B)(i)—

“(i) shall be payable from any appropriation or fund available for salaries or expenses for positions with employers described in section 101(4)(A)(iv); and

“(ii) if not used by the employee of such employers before the end of the 12-month period (as referred to in subsection (a)(1)) to which it relates, shall not accumulate for any subsequent use.”.

“(C) LIMITATION.—Nothing in this paragraph shall be considered to require—

“(i) that an employer described in section 101(4)(A)(iv) provide paid sick leave in any situation in which such employer would not normally be required to provide such leave; or

“(ii) that an employee of such an employer first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use paid parental leave described in clause (i) of such subparagraph.

“(D) ADDITIONAL RULES.—Paid parental leave under subparagraph (B)(i)—

“(i) shall be payable from any appropriation or fund available for salaries or expenses for positions with employers described in section 101(4)(A)(iv); and

“(ii) if not used by the employee of such employers before the end of the 12-month period (as referred to in subsection (a)(1)) to which it relates, shall not accumulate for any subsequent use.”.

“(C) LIMITATION.—Nothing in this paragraph shall be considered to require—

“(i) that an employer described in section 101(4)(A)(iv) provide paid sick leave in any situation in which such employer would not normally be required to provide such leave; or

“(ii) that an employee of such an employer first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use paid parental leave described in clause (i) of such subparagraph.

“(D) ADDITIONAL RULES.—Paid parental leave under subparagraph (B)(i)—

“(i) shall be payable from any appropriation or fund available for salaries or expenses for positions with employers described in section 101(4)(A)(iv); and

“(ii) if not used by the employee of such employers before the end of the 12-month period (as referred

to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1))) to which it relates, shall not accumulate for any subsequent use.”.

“(C) LIMITATION.—Nothing in this paragraph shall be considered to require—

“(i) that an employer described in section 101(4)(A)(iv) provide paid sick leave in any situation in which such employer would not normally be required to provide such leave; or

“(ii) that an employee of such an employer first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use paid parental leave described in clause (i) of such subparagraph.

“(D) ADDITIONAL RULES.—Paid parental leave under paragraph (2)(A)—

“(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing office; and

“(B) if not used by the covered employee before the end of the 12-month period (as referred

(2) *With respect to any plans or arrangements under which such benefits are currently provided to private or public sector employees in this country—*

(A) *the portion or percentage of wages typically replaced;*

(B) *how those benefits are generally funded, including in terms of the employer and employee shares;*

(C) *whether employee coverage is optional or automatic; and*

(D) *any waiting period or other conditions which may apply.*

(3) *Identification and assessment of any plans or arrangements described under the preceding provisions of this subsection (or any aspects thereof) which might be particularly relevant to designing the insurance benefit (described in subsection (a)) for Federal employees, including how such benefit might be coordinated with annual leave, sick leave, or any other paid leave available to an employee for the purpose involved.*

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider the amendment printed in House Report 110-718 if offered by the gentleman from Illinois (Mr. DAVIS) or his designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered read, and shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

The gentleman from Illinois (Mr. DAVIS) and the gentleman from California (Mr. ISSA) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

#### GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in strong support of H.R. 5781, the Federal Employees Paid Parental Leave Act of 2008, which was introduced by our colleague Congresswoman CAROLYN MALONEY on April 14, 2008. As Chairman of the Subcommittee on the Federal Workforce, Postal Service and the District of Columbia, I am proud to serve as an original cosponsor of this bill, along with 21 other Members of Congress.

H.R. 5781 takes an important step in improving the Federal Government's ability to recruit and retain a highly qualified workforce by providing paid parental leave to Federal and congressional employees for the birth, adoption or placement of a child for foster care, which is a benefit that is extended to most employees in the private sector as well as to government employees in other countries.

In considering H.R. 5781, the Subcommittee on the Federal Workforce,

Postal Service, and the District of Columbia marked up the bill on April 15, 2008, and favorably recommended the measure to the Full Committee on Oversight and Government Reform after adopting an amendment offered by Committee Chairman HENRY WAXMAN that would permit only 4 weeks of paid parental leave instead of the 8 weeks included in the bill as introduced. The full committee then held a markup on H.R. 5781 on April 16, 2008, and ordered the bill to be reported to the floor, as amended, by a roll call vote of 21-10.

During the consideration of H.R. 5781, I had asked that language be included in the bill directing the Government Accountability Office to study the feasibility of providing a disability insurance benefit to Federal employees who had to take time off to care for a spouse, child or parent that has a serious health condition or for a Federal employee that has a serious health condition that renders him or her unable to perform their job functions. While the manager's amendment that we will be discussing later on removes this provision from the bill, I am happy to report that at my request GAO has agreed to perform a study that will analyze disability insurance benefits that are currently being offered by States, local governments and the private sector.

The bill being considered today will allow all Federal and congressional employees to receive 4 weeks of paid leave taken under the Family and Medical Leave Act for the birth, adoption or placement of a foster child. As many of my colleagues are aware, the current FMLA statute provides Federal workers up to 12 weeks of unpaid leave for the birth, adoption or placement of a foster child with an employee.

Mr. Speaker, the bill before us does nothing more than permit Federal employees to receive paid leave for 4 out of the 12 weeks if the leave is connected to the birth, adoption or placement of a foster child, and to use accrued sick or annual leave, if available, for the remaining 8 weeks. Let us be clear: This bill currently being considered does not provide Federal workers any additional time nor expand beyond the 12 weeks given under the current law.

The bill before us has also been strengthened by granting the Director of the Office of Personnel Management the authority to increase paid parental leave from 4 weeks to 8 weeks after considering a thorough cost and benefit analysis.

Parental leave is a pertinent concern around the world, and, unfortunately, America is lagging behind in offering paid leave for parents. The governments of 168 countries offer guaranteed paid leave to their female employees in connection with childbirth. Ninety-eight of these countries offer 14 or more weeks paid leave. Currently the Federal Government as an employer guarantees no paid leave.

Therefore, Mr. Speaker, I again reiterate my support for H.R. 5781, the Federal Employees Paid Parental Leave Act of 2008, and urge my colleagues to join me in voting in favor of this measure.

Mr. Speaker, I reserve the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a bill in search of benefits that in fact do not exist in any great numbers in the private sector. This is a new perk, at a time in which the American people are having to make cutbacks. They are driving less. They are very clearly suffering under the incredible cost of rising energy prices. So this is a bill whose time should not be coming.

Mr. Speaker, I would like to yield 4 minutes to the ranking member of the full committee, the gentleman from Virginia (Mr. DAVIS).

Mr. DAVIS of Virginia. Mr. Speaker, I thank my friend for yielding.

I rise today in strong support of H.R. 5781, the Federal Employees Paid Parental Leave Act. This important legislation is intended to improve the quality of life for the Federal workforce, which in turn will help promote productivity and reduce Federal employee attrition.

As we have discussed many times before on this House floor, the Federal Government is facing a wave of retirements in the near future, with approximately 60 percent of the Federal workforce becoming eligible to retire in the beginning and over the next decade. This legislation will help the Federal Government recruit and retain a top-notch cadre of new employees to replace those that are currently facing retirement.

Regardless of whether you support a larger government or a smaller government, I believe we all agree on one thing: Whatever the size of government, it should be run as efficiently and effectively as possible with as good people as we can get in doing it. This bill helps promote this efficiency by improving retention and reducing employee turnover.

As it becomes more and more common for both parents in a household to participate in a workforce, any major employer who expects to compete for top new talent in today's marketplace is going to have to present themselves as family friendly. This is exactly what this legislation will do for the Federal Government.

I understand many of my colleagues have concerns with this legislation with the estimated cost of \$850 million in discretionary spending over 5 years. I understand. But, folks, waste in government is through our business processes and the way we do business. It is through mismanagement. It is through not proper oversight of contracts.

If you really want to eliminate waste in government, let's get good people in there and train them and offer a competitive package that we can offer

these young people coming out of college to get them to not only join the Federal Government, but stay in the Federal workforce. This is what this legislation does, bringing the best and brightest to government and helping to maintain them there. If you want to stop the leakage and the waste and mismanagement in government, you start with a top-flight workforce, and we need to be competitive to do that.

I believe providing new parents time to care for their new child during these critical weeks after birth or adoption will also help promote strong families, something we talk about a lot, in addition to reducing turnover and improving productivity. The incoming generation of Federal employees, and all employees, for that matter, want to feel they are part of an organization that is dedicated to and contributing to their lives and to their well-being. Given the loyalty and the service we seek from them, that same dedication should not be too much to ask from their employer.

Mr. Speaker, we are past the stage in our development as a nation when paid parental leave should be considered an extravagant or unnecessary fringe benefit, and this is why I have been an original cosponsor of Mrs. MALONEY's paid parental leave legislation since 2000. This bill we are considering today will be an important tool to help shape the Federal Government's image as an appealing place for young employees to work.

I want to thank the gentlewoman from New York for her longstanding leadership on this issue. I hope we can bring about its passage today. This will be a giant step forward. For those Members who didn't want to make parental leave a mandate to private employees, we can at least set an example here at the Federal level. This is what this legislation does.

□ 1215

Mr. ISSA. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it's my pleasure to yield 5 minutes to one who has been fighting, pushing, planning, organizing, struggling and working, the lead on this issue for more than 10 years, and the sponsor of this bill, Representative CAROLYN MALONEY from New York.

Mrs. MALONEY of New York. I thank my good friend and colleague for that generous introduction and for his strong leadership on this bill and in so many areas.

Mr. Speaker, I rise today in strong support of H.R. 5781, the Federal Employees Paid Parental Leave Act of 2008. I am proud to be the author of this bill and pleased that a Democratic majority has brought this bill to the floor.

I particularly want to thank Chairman WAXMAN for his extraordinary leadership on this and in so many ways, and also former chairman, Ranking Member TOM DAVIS, who has been a

lead sponsor on this legislation since it was first introduced. I thank him deeply, and, of course, Subcommittee Chair DANNY DAVIS. I am pleased to work every day with you on your committee, and GEORGE MILLER, for their outstanding support of this bill. They are strong advocates for Federal employees, and I expect that with their leadership and support we will pass this bill today to help working families in the Federal Government.

This bill is very important to me because I very painfully remember when I was pregnant with my first child, I was terrified of being fired. I was working for the New York State legislature, and I called the personnel office to inquire about their parental leave policy. I was told, leave policy, there is none, women just leave.

I said, well, I intend to come back to work because I have to work. What is your leave policy? They said, we have none. Possibly you could apply for disability. I told her that the birth of a child is not a disability, it is a joyous event.

I would say to my dear friend and colleague on the opposite side of the aisle that having a child is not a perk, it is important, it is important to the lives of the parents, it is important to the lives of our country. We should turn our family values rhetoric into a reality of providing some support to working men and women in the Federal Government.

Balancing work and family is a challenge that most parents face and good workplace policy can go a long way towards helping them. We have come a long ways since I was told that women just leave, but not far enough. According to a report from the Joint Economic Committee, three-quarters, or 75 percent, of all Fortune 100 companies offer parental leave to new mothers with a median length of leave from 6 to 8 weeks. Now these are some of the most successful companies in the country. They should know a little bit about retaining workers.

We also reviewed House offices and Senate offices. Most House offices, 85 percent, provide paid leave. Senate offices, 95 percent of the Senate offices, provide paid leave. The Armed Forces, they provide it also. They are not covered by the Family and Medical Leave Act but they recognize the importance of providing some paid time and leave for Federal workers and for their workers.

The Federal Government has not kept up with the changing times and needs to become competitive with the private sector. Employees are now entitled to have 12 weeks of unpaid leave through the Family and Medical Leave Act. As we have heard time and time again many families cannot afford to take unpaid leave and are therefore forced to choose between their new child and their paycheck. No one should have to make that choice.

I would say that it's very difficult for new families. Not only does it cost

roughly \$12,000 to provide for a new child the first year, daycare is not available for newborns until they are 12 weeks old, so this puts tremendous pressure on families, where most parents have to work.

We have heard about Ozzie and Harriet, you know, Ozzie worked and Harriet was at home. Now 60 percent of married women work because they have to, and we should be providing them with some help. Not only will this legislation help these new families in the Federal Government, but it will also help the Federal Government with recruitment and retention.

Turnover is more expensive than providing paid leave. The average cost of turnover is about 20 percent of an employee's annual salary. Four weeks of paid leave is less than 8 percent of an employee's salary. This is an important piece of legislation to working men and women.

I would say that providing paid parental leave to Federal employees is a great first step toward providing this benefit to all working Americans, and it is a critical step towards helping our families.

I want to note that Senator JIM WEBB and Senator John WARNER, in a bipartisan effort, have introduced a companion bill in the Senate, and they have many cosponsors. The bill has a great deal of support because it is the right thing to do and will demonstrate our commitment to working families.

To those who say we cannot afford to do it, I say we can't afford not to do it. The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DAVIS of Illinois. I yield the gentlewoman 30 additional seconds.

Mrs. MALONEY of New York. We need to catch up with the rest of the world, as 169 countries already provide some form of paid leave. One hundred sixty-nine countries cannot be wrong.

It is time for America to show that we value families, that we support families. We need to turn our rhetoric into the reality of a vote in support of this bill that will move forward with 4 weeks of paid leave for Federal workers. It's the right thing to do.

I urge a strong bipartisan vote.

I thank the staff on the Joint Economic Committee, my staff, the committee staff. They are important. They helped us move this bill to the floor today. Thank you for all of your hard efforts.

I also want to thank Nan Gibson and Heather Boushey of my Joint Economic Committee staff, who have both worked tirelessly on this bill, providing excellent research and expertise.

Finally, I want to thank Michelle Ash and Mark Stephenson of the Oversight Committee whose commitment to this issue and this bill have been critical to getting here today.

Mr. ISSA. Mr. Speaker, I would now yield as much time as he would consume to the gentleman from Virginia (Mr. WOLF).

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. I thank the gentleman from California.

Mr. Speaker, I rise in strong support of this bill. Dr. Brazelton, the leading pediatrician in the country, has said that upon the birth of a child, the connection between a mother and a newborn begins with the first breath and touch of the child, literally, the bonding process begins.

In 1993, when this issue first came up, I voted the other way. I was on the wrong side of the issue. I would remind Members of the Congress that two of the best Members of Congress that I have ever served with were for this bill. Congressman HENRY HYDE, who was a giant, and I would say one of the more pro-family people here in this Congress, and also former Senator Dan Coats, who was ranking Republican on the Select Committee on Children, Youth and Families, both voted for the Family Leave Act at that time.

I would urge Members to support this, because the bonding process and the immediacy and opportunity for mom to spend time with that child at the very, very beginning is very, very important.

I ask for a "yes" vote.

Mr. DAVIS of Illinois. Mr. Speaker, it's my pleasure to yield 3 minutes to the gentlewoman from California, Representative WOOLSEY.

Ms. WOOLSEY. First I want to thank Congressman DAVIS and Congresswoman MALONEY for this excellent, excellent bill. Thank you, and I know that it has been 10 years in the working, and I also know it is time that it passed.

Mr. Speaker, investing in our working families is the very best way we can strengthen our workforce, our economy, and our country. I am the chairwoman of the House Subcommittee on Workforce Protections, and, as the leader of that committee, and with the hearings we have held, we have learned that the most generous leave policies don't help families who cannot afford to take leave without pay. It's as simple as that.

As a Nation, we must support working families, and we can do that by providing them with the help they need to balance their work and their family. No parent should ever be forced to choose between the needs of their family and the needs of their job or the possible loss of that job.

I look forward to the day that my own legislation, the Balancing Act, will be passed. The Balancing Act provides working families the help they need to balance work and family, paid leave, increased child care, voluntary universal preschool, school breakfast, afterschool programs, and incentives for flexible work schedules.

If children are lucky enough to have two parents, both parents are probably in the workforce. They are working long hours, they are commuting long distances, and these very same parents are working to put food on the table.

They put food on the table, but they are quite often not able to be there to

eat that food with their families. H.R. 5781 is a perfect example of what we must do as a Nation. It is a step in the right direction. It will prove how important it is to provide leave with pay.

Mr. ISSA. Mr. Speaker, the two previous speakers on our side spoke in favor of the bill.

I would like to honor their speaking in favor of the bill by saying that the bill is well intended, even if it is fatally flawed. People are talking about 10 years of wanting to achieve what they hope to achieve here today.

I would say to you and certainly would ask that Federal workers take note of what we do here today. We are not talking about making sure that someone who has a child or adopts a child has the opportunity to take the time off for bonding. We already ensure 12 weeks of that and have for that decade.

We are not talking here about anything except as it is presently written and not allowed to be amended, a bill that simply grants 4 weeks every single year to those individuals who choose to have a child, who choose to take time off in relation to a sick Federal employee, as was originally presented, or, more importantly, someone who takes on a foster child.

Now I am all for people taking on foster children, but let's look at this from a practical standpoint. You are running a Federal department. You have somebody who you need, and every single year, as often happens, they take on a new foster child that they keep for 3 to 5 years and they have, let's say, three foster children. That means that that individual will be gone on paid leave over and above their vacation, over and above their 13 days of sick leave a year, they are going to be gone 4 weeks every year, conceivably for a full 20 years.

So by having not just the birth, of a woman, but the husband, and not just birth, but foster children, we can conceivably go so far beyond the \$850 million scoring, we could easily end up in the tens of billions of dollars.

Let's consider our Federal workers at a time when we are considering whether this is appropriate to do. Our Federal workers receive 13 days of sick leave a year. Our Federal workers can accumulate those for 6 months, meaning that when they retire, as is often the case, Federal workers simply don't show up to work for the last 6 months. The reason? They are using up their sick leave. They can't be paid for it. They additionally have in the neighborhood of 2 weeks plus of vacation that they can cash out if they don't use it.

Now, in the private sector, it is not, in almost any case, a use-it-or-lose-it policy on sick leave. Additionally, a little-known practice, but well used in the Federal service, is the giving away of somebody's sick leave. For example, if somebody in your department or somebody in your organization or the Federal Government were to take on a

foster child, there can be a campaign to raise sick leave for that individual so that they would not be unpaid if they had a need for it. No problem, but it comes out of the bank of 13 days per employee per year.

□ 1230

What this bill seeks to do is to grant something that is almost unheard of here in Congress or in the private sector.

And I would like to take a little exception with the gentlelady from New York; we did go and look at the existing programs, and there is no support for 86 percent of House offices provide paid leave, not at all. Paid parental leave as a written policy does not exist in many of the offices, and I would ask the gentlelady to bring proof of her statement because quite frankly she has been misled if she thinks 86 percent of House offices have a formal written policy granting already this privilege that we seek to grant here this year.

The scoring, as I said, Mr. Speaker, is wrong. It is not going to be \$850 million, it will be billions of dollars. It will be billions of dollars at a time when Americans are being laid off. It will be billions of dollars at a time when Fortune 100 companies offering either pregnancy-related or disability leave, it is less than one-third of the Fortune 100 companies, which are the most wealthy, most generous companies in America, and less than one-third typically will offer that.

The fact is that unpaid parental leave has become widespread. The leadership of the U.S. House and Senate in passing a bill that granted that to Federal workers is to be commended. The opportunity at one's expense using one's resources to take care of and bond in regards to a choice such as a birth or adoption of a child, is commendable and has become widespread.

If this becomes widespread, we might someday look back and commend it. But today, what we are doing is we are offering Federal workers, workers who, like ourselves, are often chastised by people in the private sector who have to make a payroll, are being given things which they cannot afford.

As is often said on the House floor, 44-plus million Americans don't have health care, and yet we are asking that every Federal worker, in addition to 13 days of paid sick leave, accumulable or borrow-able or giveaway-able, be granted additionally another, what is basically twice that amount, each and every year if they choose to use it.

Mr. Speaker, it is simply wrong to do it. In committee we aggressively tried to amend this to allow them to use resources already available more flexibly. Those were voted down on primarily a party-line basis.

Mr. Speaker, I reserve the balance of my time in anticipation of more things that need to be corrected on the House floor.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as she may consume to

the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. In response to my good friend on the other side of the aisle, I referenced the 2006 U.S. Senate Employment Compensation Hiring and Benefits Study and the 2006 House Compensation Study which has the numbers that I was using on the floor. So we have that documentation for the record.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the stellar chairman of the Committee on Oversight and Government Reform, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, H.R. 5781, the Federal Employees Paid Parental Leave Act, gives dedicated civil servants a long-overdue benefit: parental leave on the birth or adoption of a child.

Under this bill, Federal employees will, for the first time, be offered 4 weeks of paid parental leave on the birth or adoption of a child. If needed, employees will also be allowed to use their accrued sick leave for additional paid leave.

I was taken aback by the arguments from my colleague from California (Mr. ISSA) that we run the risk of people becoming foster parents each year presumably to get this extra 4 weeks of paid leave. I think that foster parents do an enormous good in providing a home to children who otherwise would not have a place to live. And they, by the way, under existing Federal law, can have paid Federal leave under their sick pay. But if a parent has a natural-born child, they may not use their sick leave nor do they get paid leave for that period of time to bond with the newborn.

Federal employees are entitled to those 12 weeks of unpaid leave under the existing Family and Medical Leave Act. What this bill does is say for the first 4 weeks, this leave will be paid.

The Federal Government is a model employer in many areas. Federal health benefits are often lauded as a model for the rest of the country. Many people say all Americans ought to have the same health care benefits as Federal employees. We have the Federal Thrift Savings Plan which is often cited as a model of what a 401(k) plan ought to be.

But one area where the Federal Government has lagged behind for years is in providing parental leave to its employees. If this becomes law, and I sure hope it will be, we will be able to attract and retain the best employees for the Federal workforce. It means when a Federal agency recruits new employees, they won't have to have one hand tied behind their back because they can't offer leave for the birth of a child, as many private sector companies do.

I think this is a pro-family measure, and I was pleased to hear that our colleague, Congressman Hyde, had always supported this family leave to be paid for Federal employees.

When you look at the civilian workforce for the Department of Defense, they don't get this ability to be at home with the child for the first 4 weeks and have it paid for, but a military family will be allowed under existing law to stay home under paid leave for maternity or adoption. It is unfair to have in one case an employee working next to another employee, both for the same government, and one is allowed to take the leave and have it paid for, and the other has to take the leave and not have it paid for. The loss of income is important to many of these families and they don't want to have that loss of income. We shouldn't put them in that kind of position where we force them to perhaps cut it short and get back to work.

I want to commend Representatives DANNY DAVIS and CAROLYN MALONEY for their efforts on this bill, the Federal Employees Paid Parental Leave Act of 2008. Without their leadership it wouldn't be on the floor today. I also want to thank Ranking Member TOM DAVIS for his support for this legislation and his constructive work in offering an amendment that we agreed to in committee to reduce the cost to the taxpayer. He has been a steadfast champion of the rights of Federal employees, especially those that support families.

I urge my colleagues, support this bill. We don't know yet what the motion to recommit will be, but if it is one of these motions to kill the bill or to come in with something that is not sustainable, I would hope that my colleagues would vote against it and vote for final passage of this legislation.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the majority providing us reference to the 2006 House Compensation Study that shows even with other people's money, and perhaps no guidance on how to spend it, about 20 percent of the House offices offer little or no, or actually offer no paid leave.

The amazing thing to me is we are here today talking about a new paid leave. I just want to explain for a moment, when congressional offices choose to do paid leave, they do so out of a fixed budget. The majority would have you believe here that we are going to do this out of some fixed budget. We are not. This is going to run up the cost of every office that does everything, from post offices to the Secret Service to the IRS. It is going to run up the cost of these Federal employees. It is going to run it up by quite a bit.

With all due respect to my colleague from California, I am not implying that having foster families is bad; just the opposite, it's good. The question is if you have an active foster parent family and they are being given 4 weeks of paid leave, who is to assume that they won't take it. I believe they will. That will mean for every 12 people doing it, you will have basically the need for an additional Federal worker with all the compensation and benefits that go with

it. That is the reality we have here today.

In committee we attempted unsuccessfully to have this be fiscally responsible, recognizing that there are 13 days of paid sick leave every year, fully accumulative so that a typical worker need only borrow from the sick leave that they were eventually going to cash out by not coming to work the last 6 months they are in the Federal workforce, simply use it for this.

I am not implying that the birth of a child is sick, but it is fully usable under the amendments we tried to offer. So it is a little disingenuous for my colleague from California to say that the military can use it and somehow Federal workers couldn't. That could have been taken care of in committee, and it was clearly fought on a partisan basis.

The fact is this bill should be before us today clarifying and taking care of some technical problems in the families being able to take full advantage of the Family and Medical Leave Act by being able to use all of their sick leave, perhaps even borrow against future sick leave, which was proposed, and in fact have their colleagues give them sick leave in order to facilitate their staying home for those 4 weeks or more and not be without pay.

The fact is we are here today dealing with a problem which we should not be spending new money on at a time when the Federal deficit and the Federal spending is far in excess of what the private sector can afford. As people here in Washington and people in California find it impossible to make ends meet with \$5 a gallon gasoline, it is irresponsible for us to be adding this multibillion-dollar perk at a time in which, with only technical corrections, we could have provided these people the opportunity to use resources they already had in the way of sick leave and vacation.

With all due respect to Federal workers, I think the majority of Federal workers would say that if they had their choice of this many billions of dollars of new spending, they would just as soon get it up front in pay and they would care of their choices in children, adopted or natural birth, they would take care of it out of their sick leave if they were given the additional dollars. So I think in fact we are doing them a disservice, if we are going to spend the money, of not spending it straightforward in a proper way, and I look forward to attempts to make this technically correct.

And I once again regret that the Rules Committee chose not to allow these technical amendments not to be even considered, but in fact have kept them from debate on the House floor.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 1 minute to the chairman of the Committee on Oversight and Government Reform, Representative WAXMAN.

Mr. WAXMAN. If we are going to pay in a straightforward way, let's provide



parental leave and not require people to take it out of their sick leave which they cannot do now, and have that leave paid for. This ought to be for newborn and adopted children and their parents, and we ought to provide this.

I can imagine there might have been a time when people would have said, "Why should we allow people to be able to take off 2 weeks of vacation a year? Some employers do it, others don't. This is just too radical."

Well, now no one thinks it is radical to have 2 weeks of vacation a year at least, and I don't think it is radical, I think it is pro-family, in fact, to allow parents to bond with their children and be able to have 4 weeks paid. That is straightforward; 4 weeks paid leave for maternity or paternity and not to hide it in the sick leave, which they may need at some future time if they have an illness. Having a baby is not an illness.

Mr. ISSA. Mr. Speaker, I would like to set the record straight. Sick leave of Federal workers is not limited to people who are sick. The common practice at the end of a career of simply retiring 6 months early to use up accrued sick leave speaks loudly to the fact that sick leave is simply 13 additional days that can be used on a discretionary basis.

The chairman of the full committee knows this very well. And, in fact, we attempted to make it explicit that not only would you be able to use your 13 days plus any accrual, but even borrow in order to make this fiscally neutral, fiscally responsible at this time.

□ 1245

This bill is not about whether or not we allow people to take 4, 6, 8 or 12 weeks of paid leave. In fact, we were more than willing to have the entire 12 weeks of family medical leave be usable, to be able to use its current or even borrow some of its future sick leave.

What this bill is doing here today is saying, you get to keep 3, 4, 5 months of sick leave you already have in the bank. You get to keep your many weeks of vacation, and you get this additional amount. This is something the American people are not prepared to pay for. If we're going to be responsible, we're not going to make the American people pay for this additional back-door increase at this time.

The majority knows this very well, so I, again, repeat, it is disingenuous to say that they can't use their sick leave. In fact, that was something that could have been handled in committee, would have been handled by the amendments that were not ruled in order by the Rules Committee on a purely partisan basis.

In fact, we are considering a bill today that is designed to cost the American people money.

I continue to reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 1 minute to

a strong proponent and defender of workers rights, Majority Leader STENY HOYER.

Mr. HOYER. Mr. Speaker, I want to thank Mr. DAVIS from Illinois for yielding. I particularly want to thank my good friend, CAROLYN MALONEY, the distinguished Representative from New York, who has been such a giant on behalf of this issue and family issues generally.

Mr. Speaker, every Member of this body, from the most conservative to the most liberal, shares the conviction that the surest way to improve the quality of life in our Nation is to strengthen our families. Strong families enhance well-being, improve children's self-esteem, and significantly increase the odds that children will succeed in school and grow up to be good parents themselves.

Study after study shows that a strong predictor of child well-being is the degree to which a parent and child bond in the first months of a child's birth. The more constant and nurturing that bond is in the early months of life, the better off the child will be down the road. That is why this is such an incredibly important piece of legislation.

The Federal Government, in many ways, as an employer, has been a leader, not a follower, a leader in efforts to ensure positive employee policies. In fact, the private sector has adopted many of these same policies.

We all know that the 1993 Family and Medical Leave Act has been an outstanding success in helping to promote healthy families. So this is not so much about the mother or the father, it is about the child, and the sense of well-being and groundedness that the child has.

Unfortunately, all too often people who have availed themselves of the law to take care of their newborns, or care for ailing parents, have had to make economic sacrifices because the Family and Medical Leave Act does not entitle anyone to receive an income.

Now, very frankly, it's all good and well for most of us, or all of us that serve in this body to say, well, we could take off 6 weeks without pay. Most of us could do that. Certainly my good friend Mr. ISSA could do that. I could do it.

But very frankly, I have three daughters, and they may be able to rely on Dad to help them do it, but if Dad were not able to do it, they would not be able to do it. They've all had the opportunity to spend time with my three grandchildren as those grandchildren were born in early years, and that was not only beneficial to my grandchildren, it was beneficial to the community in which they will live.

Currently, the Federal Government does not provide paid parental leave to its employees. Employees must use accrued annual and sick leave if they want to maintain an income stream while they're out.

By providing 4 weeks of paid leave to Federal employees, which, by the way,

most Members of Congress already do, for their employees for the birth and adoption of a child, H.R. 5781 recognizes that economic security is a critical ingredient in ensuring that parental leave succeeds.

Mr. Speaker, the Federal Government is the Nation's largest employer. It should set a strong, positive example for how the needs of the workplace and the needs of the employees can be balanced, and indeed, the needs of the children can be met. H.R. 5781 is an important step in doing just that.

Again, I congratulate CAROLYN MALONEY, who has been a real leader on this effort for her entire career in the Congress of the United States. I'm so pleased to be her ally in this effort.

I also want to turn to my friend, TOM DAVIS, who himself has been a giant, along with FRANK WOLF, and a partner of mine, in promoting the well-being and appropriate benefits for our Federal employees, on whom this country relies in so many ways to give them a government that is a partner with our private sector in maintaining the greatest country on the face of the earth. And I thank Mr. DAVIS for his leadership.

I'm sorry Mr. DAVIS will be leaving us at the end of the year and will not be serving in the next Congress. And I will say, I am sure, many times, how beneficial his service has been to Federal employees, and how beneficial his service has been to the Washington metropolitan region and, indeed, to the country. And I thank him for his leadership on this particular effort.

Mr. ISSA. Mr. Speaker, I think the leadership said it very well. Of course, they didn't say anything about what we're actually doing here today. This isn't about family unity or bonding. It isn't about mom and dad or the child. This is about a new spending, a new irresponsible spending proposal coming from the Democrats after they promised us fiscal responsibility.

The fact is, we will have our taxes raised. The American people will pay for this in higher taxes in the coming years. They will pay for this after we said it was about your family.

The reality is that there will be layoffs in the private sector. There will be people in the private sector who say, with these new taxes, can we still afford to have health care benefits while, in fact, Federal workers who not only enjoy good health care benefits, good vacation policies, also get more than 2½ weeks a year to be sick.

Now, when the American people discover that an organization, the U.S. government, gives their people 2½ weeks to be sick, and allows them to accrue 6 months of that in case they're ever really sick for a long period of time, and does not require a physician's proof that they actually are sick, and then, when given the opportunity to say, let's use these 2½ plus weeks a year of sick benefits, since they're usable for anything you want to use in the way of time off, let's use

them for time off when you have a child, that, in fact that was turned down as not good enough by the Democrat majority.

It was turned down as clearly we have to add the dollars on top of this, wrongfully estimating \$850 million when, in fact, this is billions. This could be fiscally responsible and family-oriented by simply allowing this well-accrued sick leave to be used for this, since it's going to be either used for sick leave, or it's going to be used at the end of a career or before someone leaves government as a general practice. It is seldom simply not used and turned back in.

So, Mr. Speaker, it is very clear from the Democrat leader, that, in fact, this new expense leading to new taxes is, in fact, something that he supports, but calls it family-oriented. It's not family-oriented to the taxpayers in America, to the private sector. It is simply family-oriented to big government.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 3 minutes to another Member who is actively engaged in workers' rights issues, Representative Chris VAN HOLLEN from Maryland.

Mr. VAN HOLLEN. I thank my colleague, the chairman of the subcommittee, Mr. DAVIS, for all he has done to support Federal employees and workers around this country.

Congratulations to Congresswoman MALONEY for her leadership on this issue over many years. And congratulations on bringing this bill to the floor today. And to the chairman of the full committee, Mr. WAXMAN, thank you for all your efforts as well.

I want to join my colleague, the majority leader, STENY HOYER, in also commending our colleagues from the Virginia side of the river, Mr. TOM DAVIS, who's on the floor, as well as Congressman FRANK WOLF. We've all worked very well together on issues supporting Federal employees and trying to make the Federal Government a model employer, an employer we can be proud of, and someone that tries to set the standard, rather than bring up the rear when it comes to policies for employees and the workforce.

As I think people understand, we are going to face a severe shortage of Federal workers going into the future. Indeed, over the next 5 years, nearly a third of the 1.6 million boomer age members of the Federal workforce are expected to retire. We're going to need hundreds of thousands of new workers to replace those departing Federal employees, and it's going to be essential that we attract new, young workers into the Federal workforce in order to continue the job that they need to do for the American people. And that's one of the reasons why this is an important measure that we need to follow up on.

This is a benefit that is currently enjoyed by employees of most of the Fortune 100 companies today, so we are

playing catch-up here at the Federal Government level. We are trying to compete with those in the private sector that are saying to young people, come work for us because we're going to provide you a benefit that doesn't require you to choose between taking a little bit of time to care for your newborn child, and getting a paycheck to help pay for your mortgage or for your rent or putting food on your table. And we think that it's important that people not have to make that choice. So yes, this is a very family-oriented, family-friendly measure.

Don't let anybody kid you, because we don't want people applying to the Federal Government to have to say, well, I'm not going to join because I'm going to be losing money to stay home for a short period of time to take care of a newborn child. I can go work at one of those other companies.

This is a time when we need more folks working in the Federal Government on critical issues like homeland security, like defense, like medical research. We need to replace those individuals who are leaving so that we can make sure that we have a vibrant Federal Government that can address the needs that we've asked of our Federal employees.

I congratulate, again, Congresswoman MALONEY, the chairman of the subcommittee, chairman of the full committee. And I urge my colleagues to adopt what is a very family-friendly measure. We should be leading by example at the Federal level.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume to correct the RECORD.

Mr. Speaker, less than one-third of Fortune 100 companies offer fathers paid leave. Approximately half offer some amount of disability or pregnancy leave in the birth of a natural child. So when you mix and match the richest companies in this country you're going to get less than a third offer anything close to what we're offering here today, not more than half. We're not following.

In fact, when you quote the Fortune 100, by definition, what you're quoting are the very large companies that are normally disparaged by my Democrat colleagues as gouging the public on making too much on oil and other resources.

In fact, what we normally talk about on the House floor and pay tribute to are the small businesses, the entrepreneurial, mom and pop businesses. They're not giving this. They can't afford to.

As a matter of fact, a big part of the 44 million uninsured are because small businesses can't afford health care. They can't afford health, dental, eyeglass. And yet we're giving this benefit.

Now, there was a proposal Mr. VAN HOLLEN said that I think was very appropriate. We do have boomers retiring. In committee we have talked about ways to extend the careers of those baby boomers. The easiest way,

one which would be fiscally responsible, as a matter of fact, it would even be a benefit to us and to them, those 6 months that are often used as terminal leave on a retiring senior member of government, if we would simply pay them those 6 months when they retire, it would be the least expensive way to get six additional months from the baby booming retired workforce.

□ 1300

That proposal is dead on arrival apparently for the Democrat majority. That proposal would be a way to extend these significant amount of Federal workers at the time we need them most, which is when they really are senior people able to pass on to the next generation. That soft landing, dead on arrival.

A new costly program, one that less a third of Fortune 100 companies, the richest companies, can even afford in fact is what we're being faced with here today.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to Representative MALONEY of New York.

Mrs. MALONEY of New York. Mr. Speaker, I disagree with my distinguished colleague on the other side of the aisle. I have heard heartbreaking stories from real Federal workers who would strongly disagree with you. I will give one example from a woman who had to go back to work with an open wound due to a C-section while giving birth. And it is not possible to use your paid sick leave. Sick leave is for when you're sick. And by our guidelines, you can use it only when you are incapacitated, when you're in the hospital, or bedridden. And it takes a long time to accrue these.

Now, in terms of costs, the score from the Congressional Budget Office estimates that in 2010, the first full year that this could be implemented, it will cost roughly \$190 million. To put this in perspective, this is less than one-tenth of 1 percent of the Federal payroll. The cost estimate predicts that approximately 17,000 women and 23,000 men who have worked for the Federal Government for at least a year and will have a child in the course of a year.

They assumed that mothers will take advantage of this benefit 100 percent of the time, and men roughly 50 percent of the time. This amounts to approximately 1 percent of the Federal workforce using this benefit at a given year.

There are also potential cost savings that can't be estimated by CBO. Providing this benefit will likely improve retention rates for Federal employees. Research shows that women who have access to paid leave, not just unpaid leave, are more likely to return to their jobs after having a child; and access to family leave can also improve productivity and morale. For example, in my office, I offer 12 weeks of paid parental leave to new parents on my staff. I have two current employees



who have used my leave policy twice. Both have been with my office for many years, and I attribute the longevity of their employment to my family leave benefit.

Additionally, in my office we've been able to offer this benefit at no additional cost to taxpayers.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 1 additional minute.

Mrs. MALONEY of New York. I repeat, it has not cost the taxpayer one cent. We have not added additional staff but rather redistributed the work among the rest of the staff. While it does create more work for others, it has also given junior staff members opportunities to assume more responsibility, and it was a relatively smooth transition.

The costs of this bill are relatively small compared to the positive effect that it will have on the lives of working families in the Federal Government. How many times have we heard the words "family values" from the other side of the aisle? It is time to turn family values into a reality in the lives of the workforce, and this is a way that we can help Federal workers, the largest employer in the United States, and make this important event in one's life, becoming a parent, really a joyous one in which they do not have to be stressed.

I urge a "yes" vote.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

You know, it's amazing that the gentlelady from New York would make the case that this isn't going to cost much. Of course, no dynamic scoring. They're sort of just looking at track history and then want the dynamic scoring for some intangible savings in Federal worker retention. It's very clear this is going to cost \$850 million or more and that it is likely to grow.

More importantly, I'm not somebody who spends a lot of time preaching family values from the dais. But if we're going to talk family values here today, let's talk them. Family values are about family making sacrifices to make things work. Unlike the gentlelady, I find that her example is an excellent example for my point, not her point. No Federal worker is forced to come back with an open wound. In fact, that woman would have been allowed to continue getting paid leave.

Additionally, with more than 2½ weeks of accrued paid medical leave every year, there is no reason that she wouldn't have likely had accruals in her own bank. I love anecdotal examples because they usually make the case for the person delivering them; I would say just the opposite. This woman didn't have to come back. She could use medical leave, and contrary to what the gentlelady from New York is saying, Federal workers are allowed to use their medical, their sick leave in other ways, and they do regularly.

Additionally, there is a whole system within the Federal workforce not real-

ly understood by the private sector but supported by this Member which is I can put my unused sick leave into banks to help others. I can even put my vacation, under certain circumstances, in banks to help others. So Federal workers can, in fact, share this very generous more than 2½ weeks of sick leave and 2 weeks of vacation if they choose to.

So when we talk about the Federal family, the Federal family has plenty of resources to help with this.

What we're talking about here is a multibillion-dollar new spending program at a time of recession, at a time of threatened tax increases by the Democrat majority, and at a time when the American people are striving just to fill up the tank with gas and try to figure out how to pay health care benefits. We're looking at new opportunities to increase our own well being.

But we don't and shouldn't come first. The taxpayers and hardworking men and women out there come first. So for this Member, I'm going to tell you I'm not going to put us first, I'm going to put the taxpayers first and vote against this.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, can I inquire as to how much time we have left.

The SPEAKER pro tempore. The gentleman from Illinois has 4 minutes remaining, and the gentleman from California has 6.

Mr. DAVIS of Illinois. Mr. Speaker, could I inquire of the gentleman from California if he is prepared to close.

Mr. ISSA. Mr. Speaker, I am prepared to close if he has no other speakers.

Mr. DAVIS of Illinois. Mr. Speaker, I have no other speakers, so if the gentleman will close.

Mr. ISSA. Mr. Speaker, I yield myself the time I may consume.

Mr. Speaker, you have noticed I have spoken with great passion here today about this bill. I would wish that I could be speaking with the passion in the positive, because the Federal workers deserve a bill that we didn't bring to the floor today. They deserve one that would allow for flexibility of sick leave, transferability, transparently to people who are having families, whether by adoption or by natural birth. That is what we should be bringing to the floor.

We could do so at a time of shortages around the country at no cost to the taxpayer. We could do it exactly the way the gentlelady from New York described. Mrs. MALONEY does not get new money for a new perk for her people. She chooses within a budget to in fact provide that benefit. And I commend her for that, and I commend the other Members who make decisions how to allocate a fixed pie of money, whether it's to go on sending constituent mail or providing paying benefits to the employees that answer the mail from constituents.

So today we are not being given the bill we should be given. The bill we

should give is to guarantee the ability to not lose pay when taking family medical leave but to use resources that are already available within the Federal system. That's not happening today. I regret that that's not happening. Had we been allowed to bring the amendments that we wanted to bring, we would have accomplished that. Had we been allowed to even bring the technical corrections that would have made this a less-imperfect bill, one that would not cause deadbeat dads to be able to take advantage of this, we would be doing that. We're not allowed to do that today. I regret that.

I hope that this bill is defeated here and/or in the Senate and that we can bring up a truly bipartisan bill, one that would pass, quite frankly, on suspension if it was structured right, and would provide Federal workers this opportunity without additional costs to the taxpayers.

I thank the Speaker, and I thank my colleagues on the other side of the aisle for a spirited debate.

I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I would yield myself the rest of our time to close.

Mr. Speaker, it has been a rather spirited discussion and debate, and I'm reminded of the fact that we often compare public employees with private employees. And I know that we have amongst us Members who like the idea of downsizing government, of privatizing operations, of outsourcing activities. I believe that our public employees can in fact be the best that we help and allow them to become.

I believe that we can recruit the best and the brightest. But I also believe that if you want production, then you have to make sure that you are treating your employees fairly. Let's be clear. Federal employees are only able to accumulate a maximum of 30 days of annual leave, not an adequate amount of time for purposes of providing care for a newborn or adopted child.

Early in their careers when they're earning only 13 to 20 days per year, accumulating even 30 days is nearly impossible. Yet the early years of one's career usually coincide with the time that they decide to have children. And so it's the young, new employees who have not accumulated a great deal of time, who, in many instances, are either giving birth or adopting children.

So if we're going to be able to recruit, we have to try and make sure that we can attract.

We also need to be family friendly. Not only do we need this bill, but in reality, we really need childcare centers in all of our agencies. We need daycare programs so that people who have to work can know that there is the adequacy of opportunity to care for their children.

So providing this legislation the opportunity to live, providing individuals who are bearing children or adopting children the time that they need to bond with a newborn or to bond with

an adopted child I think is not only a rational, sensible approach but I also want to extend commendations again to my colleague from New York, Representative CAROL MALONEY, who has led the fight on this issue for such a long time. And it is as a result of her tremendous efforts and the great work of our staffs that we are here this afternoon preparing to move another step towards making sure that we have the kind of workforce that our Federal Government needs. You can't lead where you don't go. And you can't teach what you don't know.

Mr. KUCINICH. Mr. Speaker, I would like to start by thanking Representative MALONEY for her dedicated work to ensure 4 weeks of paid parental leave for Federal employees. H.R. 5781 is a significant step forward to ensuring the well-being of our Nation's children and parents.

Furthermore, under this bill Federal employees can use up to 8 additional weeks of accrued sick leave in connection with the birth or adoption of a child.

Paid parental leave benefits have many beneficial aspects for our workforce. Perhaps the most important aspect of paid parental leave is that it gives parents the ability to take care of the vital needs of their child without incurring the financial hardships associated with unpaid leave. Working families employed by the Federal Government should not have to choose between their child's well-being and their financial stability.

Paid parental leave has also been shown to provide increased productivity and employee morale. Additionally, it will have the important effect of helping to recruit and maintain the highest quality workforce.

Copious research confirms what common sense tells us: it is important for parents to have time to bond with and attend to the health and development of their children. Our families and communities are better off when parents are able to have this critical time with their children.

Mr. MORAN of Virginia. Mr. Speaker, I rise today in support of the Federal Employees Paid Parental Leave Act. The legislation will provide a necessary update to the current statute and takes an important step forward for workers rights and benefits. As one of the original cosponsors of this legislation during the past several sessions of Congress, I am pleased that the leadership is moving the bill for consideration before the full House of Representatives.

Since its first passage in 1993, the Family and Medical Leave Act has provided Federal employees with unpaid leave to care for families, allowing for time off at the birth, adoption, or foster placement of a child. Upon the completion of this leave, Federal employees can return to their position without penalty. Now, 15 years later, the law needs to be updated to reflect the changing needs of families.

The Federal Employees Paid Parental Leave Act of 2008 does just that. This new act guarantees at a minimum 4 weeks of paid leave to Federal employees—both fathers and mothers—to care for new children in their families.

This additional benefit is vital because of the need for the Federal Government to compete with the private sector for quality recruits and retaining experienced employees. At one time,

the Federal Government provided the best benefits, but it is falling sorely behind in this area. Currently, 75 percent of Fortune 100 Companies provide paid leave to new mothers. Further, the United States is the only industrialized country that does not provide benefits to its employees with new children.

As the Federal workforce ages and begins to experience anticipated shortages in critical skills, we must rely on our benefits rather than pay to attract and retain new employees. Studies show that new parents who have access to leave when their first child is born are more likely to stay with their employer than those who do not. Moreover, retention of these employees easily compensates for the extra leave this legislation provides. The average cost of turnover in a position is about 20 percent of an employee's annual salary. On the other hand, 4 weeks of paid leave costs less than 8 percent of an employee's salary.

Finally, this legislation recognizes key changes to the American economy. Most families no longer have a stay-at-home parent, and with the average middle class family spending nearly \$11,000 on infant expenses, they cannot afford any amount of unpaid leave. With the current economic downturn, working families simply cannot afford to take any time off while paying childcare expenses along with increased food and fuel prices. Something in the system has to provide some relief to these new parents, and with this legislation, we can provide some help.

Mr. Speaker, for all of these reasons, I urge my colleagues to support the Federal Employees Paid Leave Act of 2008.

Mr. LANGEVIN. Mr. Speaker, I rise in support of H.R. 5781, the Federal Employees Paid Parental Leave Act, which would provide 4 weeks of paid parental leave and 8 weeks of unpaid leave for all Federal employees after the birth or adoption of a child. Under this measure, these employees may also use accrued annual or sick leave to receive compensation for the unpaid weeks. Currently, employees may take up to 12 weeks of unpaid leave under the Family and Medical Leave Act to care for a newborn or adopted child.

H.R. 5781 will help the United States Government compete with the private sector in order to recruit the best and brightest employees and retain that talent. In 2007, a Government Accountability Office report found that countries offering paid parental leave experienced increased employee retention and a reduction in the amount of time women spend out of the workforce. Disappointingly, the GAO also reported that the U.S. lags behind other industrial nations in providing policies that support working parents and their children. In fact, 169 countries guarantee women leave with income in connection with childbirth.

The U.S. Census Bureau reports that women are more likely to work before and after pregnancy than they were 30 to 40 years ago, and Congress must legislate according to the changing makeup of our workforce. So far, we have not met that mark. I know that many of my colleagues have already met or exceeded the requirements of this bill, and I applaud their efforts. I know from firsthand experience that allowing new parents guaranteed paid leave helps balance the demands between work and family. For the hard work they provide for us, we owe our employees the time to enjoy the bonds that matter most in their lives.

I strongly urge my colleagues to support this measure. It is time that the Federal Govern-

ment sets the standard for working parent policies.

Mr. GEORGE MILLER of California. Mr. Speaker, today, with the passage of H.R. 5781, The Federal Employees Paid Parental Leave Act of 2008, Congress will finally recognize the vital importance of providing paid parental leave to millions of families who want to start a family.

I would like to thank Congresswoman CAROLYN MALONEY who first introduced this legislation and urge my colleagues to support this important measure.

Currently, there is no paid Federal parental leave policy. If Federal employees wish to start a family or expand their family, they must take unpaid leave or cash in their sick or vacation days so that they may continue receiving an income while they are at home.

With the rising prices of food and gas, unpaid leave poses an even greater economic hardship for working families, not to mention the extra costs that are associated with providing for a newborn.

Unfortunately, the absence of a family leave policy for Federal workers forces mothers and fathers choose what is more important: either stay at home with their infant and forgo a steady income or head back to work without spending adequate recovery or bonding time with their newborn.

The Federal Government lags behind the private sector in this area. The current lack of a parental leave policy for our Federal employees impairs efforts to hire and retain the best and the brightest our Nation has to offer.

Family-friendly policies like guaranteed paid leave not only help parents balance work and family, but will also help ease our, impending Federal personnel crisis. Federal employers will benefit from increased retention rates, decreased absenteeism, and improved productivity.

Several States have taken the lead to provide coverage for employees. In fact, over 6 years ago, California successfully enacted a paid parental leave law and it has been a great success. New Jersey recently passed a similar law in April and several other States even cover maternity under their disability insurance laws.

H.R. 5781 seeks to amend the current Federal family leave policy by allowing mothers and fathers up to 4 weeks of *paid* leave for the birth or adoption of a child. Federal employees should not have to make choice between their family and their job but should be covered under a fair, paid parental leave policy.

I urge my colleagues to support H.R. 5781, The Federal Employees Paid Parental Leave Act.

Mrs. CAPPS. Mr. Speaker, I rise today in strong support of H.R. 5781, the Federal Employees Paid Parental Leave Act.

It is long overdue for our Nation's largest employer, the Federal Government, to provide its employees with a more family-friendly workplace.

It is hard to believe the United States is the only industrialized nation that does not provide its employees with paid family leave, especially considering 75 percent of Fortune 100 companies already provide an average of six to eight weeks of paid parental leave.

H.R. 5781 would provide Federal employees with four weeks of paid leave following the birth or adoption of a child. Currently, new parents have to use vacation time, if they have it, or accept unpaid leave to care for a new child.

This puts incredible economic strain on Federal employees and their families. Considering the current economic downturn, forgoing several weeks' pay at the same time one's household expenses increase for newborn care leaves many families in a desperate financial situation.

Yet President Bush has again ignored the needs of the American people, and threatened to veto this important bill based on a bogus claim of fiscal responsibility.

During these times of economic troubles, the President's charade of fiscal conservatism is hurting our economy, hurting our workforce, and hurting American families.

All of us here in Congress appreciate the value and importance of public service. Federal workers have chosen a career in public service, and they should be rewarded with fair benefits.

It is time to finally give Federal employees the benefits they deserve. I urge my colleagues to join me in voting "yes" H.R. 5781.

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of H.R. 5781, the Federal Employees Paid Parental Leave Act.

As most employers will tell you, the success of their operations depends on the quality of their employees. The same is true for the actions of the Federal Government. Our Nation's federal employees choose their path in government for love of country and dedication to our common goals. On the other hand, parents need to be able to create a bond with their new children. This bill seeks to remove the dilemma faced by many federal employees—choosing between government service or serving the best interests of children newly added to their families.

Under current law, federal employees are allowed up to 12 weeks of unpaid leave in a given year for the birth or adoption of a child. But like many other Americans, many federal employees cannot afford to take unpaid leave, especially with a new member of the family to support. Paid sick leave may only be used for the period that a new mother has been rendered physically incapacitated by the birth of her child, effectively penalizing those mothers who have a healthy baby with no complications. Federal employees can use paid vacation days, but the 13 days of annual leave after completing a full year of work, or even the maximum 30 days of leave saved up over several years, remains a small time frame for a parent to establish a bond with their new child.

H.R. 5781 would provide four weeks—just a single month—of paid parental leave for federal employees to establish a bond with their new child. It is important to note that many successful companies offer up to twice that amount, as evidenced by the 75 percent of Fortune 100 companies that offer six to eight weeks of paid parental leave for new mothers.

Americans want their Federal Government to operate as smoothly and as efficiently as possible. To accomplish this, we need the highest quality employees running it and focusing on national priorities such as homeland security and health care. This bill will help the Federal Government attract and maintain talented employees who value family as much as they value serving our Nation's government.

Mr. GRIJALVA. Mr. Speaker, I rise today in support of H.R. 5781, Federal Employees Paid Parental Leave Act of 2008.

Work and family are pillars of our society, and a sensible and humane government should seek to relieve the stresses one can place on the other. For this reason, I am glad to support this important piece of legislation, the Federal Employees Paid Parental Leave Act of 2008.

This Act will grant guaranteed paid parental leave to federal workers who do not presently have it. This is especially important for younger workers who have not had time to accrue an adequate amount of paid leave.

Paid leave is critical to new families so that new parents can worry about the care of their child and not their financial security. The possibility of a relatively relaxed immediate postnatal period is necessary for parent-child bonding, and ultimately for the well-being of the child and the family.

This Act also makes the Federal Government a much more competitive employer. This law is not just humane, it is necessary as a practical matter for the Federal Government. According to a March 2008 report by the Joint Economic Committee Majority Staff, nearly all Fortune 100 firms offer working parents some paid time off when they have a new child. Bringing the Federal Government in line with the personnel practices of the most competitive employers will also pay further dividends by reducing costs related to worker turnover, replacement and retraining.

H.R. 5781 is a necessary and welcome step in making the federal workplace more family-friendly, and, ultimately, strengthening families and building a just, prosperous, and healthy society. I am glad to vote for its passage and look forward to seeing it go into effect.

Mr. DAVIS of Illinois. I urge passage of this legislation and yield back the balance of our time.

The SPEAKER pro tempore. All time for debate on the bill has expired.

#### AMENDMENT NO. 1 OFFERED BY MR. DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 110-718 offered by Mr. DAVIS of Illinois:

Page 3, line 7, strike "subchapter" and insert "subsection".

Page 3, beginning on line 8, strike "require—" and all that follows through line 17, and insert "require that an employee first use all or any portion of the leave described in subparagraph (B) of paragraph (3) before being allowed to use the paid parental leave described in subparagraph (A) of paragraph (3)."

Page 4, line 11, strike "of the following factors" and insert "of—".

Page 4, line 13, strike "offering paid" and insert "offering increased paid".

Page 5, line 3, strike "(4)(B)" and insert "(4)".

Page 5, line 7, strike "amendments" and insert "amendment".

Page 5, line 17, insert "of such Act" after "section 102(a)(1)(A) and (B)".

Page 6, beginning on line 2, strike "subparagraphs" and insert "subparagraph".

Page 6, line 20, strike "section" and insert "subsection".

Page 6, beginning on line 21, strike "require—" and all that follows through page 7, line 5, and insert "require that an employee first use all or any portion of the leave de-

scribed in subparagraph (B) of paragraph (2) before being allowed to use the paid parental leave described in subparagraph (A) of paragraph (2)."

Page 7, line 17, strike "amendments" and insert "amendment".

Page 8, line 4, strike "Section" and insert "(a) AMENDMENT TO FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section".

Page 8, line 11, strike "subparagraphs" and insert "subparagraph".

Page 8, line 18, strike "paragraph (1)" and insert "subparagraph (A)".

Page 9, beginning on line 4, strike "require—" and all that follows through line 15, and insert "require that an employee first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use the paid parental leave described in clause (i) of such subparagraph."

Page 9, line 20, strike "employers" and insert "the employer".

Page 9, line 23, strike "employers" and insert "employer".

Page 10, after line 2, insert the following:

(b) EFFECTIVE DATE.—The amendment made by this section shall not be effective with respect to any birth or placement occurring before the end of the 6-month period beginning on the date of the enactment of this Act.

Strike section 5.

The SPEAKER pro tempore. Pursuant to House Resolution 1277, the gentleman from Illinois (Mr. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DAVIS of Illinois. Thank you, Mr. Speaker, and I yield myself such time as I may consume.

Mr. Speaker, while the manager's amendment being offered does not make any substantive legislative changes to the bill's underlying purpose, it does make in order several minor technical changes that are designed to streamline the bill's language so that the House-passed bill will mirror language currently being considered in the Senate.

Most of these changes involve drafting edits and modifications through the bill's layout and structure. All of these changes are technical in nature. However, they are important to ensuring the swift passage of the measure.

The manager's amendment also strikes section 5 of H.R. 5781. This section of the bill entitled "Study" originally directed the Government Accountability Office to study and submit to Congress a written report of the feasibility and desirability of offering an insurance benefit to Federal employees not to include parental leave that would provide wage replacement during periods related to a serious health condition.

□ 1315

I am asking that this language be removed from the bill since GAO, at my request, has already agreed to perform a study that will analyze disability insurance benefits that are currently being offered by States, local governments and the private sector. I ask that a copy of the GAO acceptance letter regarding the disability insurance

benefit study be included in the RECORD.

Lastly, Mr. Speaker, the amendment at the desk would apply an effective date to all provisions of the bill. H.R. 5781, as reported out of committee, provided for two provisions of the act to go into effect 6 months from the date of enactment of the act. All we're asking for in the manager's amendment is that the same effective date be applied to the remaining section of the bill, which speaks specifically to extending paid parental leave to those that work at the Library of Congress or the Government Accountability Office.

While the amendment I am offering this afternoon does nothing to change these aspects of the bill, it does strengthen the measure by clarifying and streamlining certain provisions of the bill. Therefore, I ask that my colleagues join me in supporting this simple amendment.

GOVERNMENT ACCOUNTABILITY OFFICE,  
Washington, DC, June 10, 2008.

Hon. DANNY K. DAVIS,  
Chairman, Subcommittee on Federal Workforce,  
Postal Service, and the District of Columbia,  
Committee on Oversight and Government  
Reform, House of Representatives.

DEAR MR. CHAIRMAN: We received your letter dated June 2, 2008, requesting that the Government Accountability Office review the feasibility and desirability of providing an insurance benefit to federal employees which would provide partial or total wage replacement.

GAO accepts your request as work that is within the scope of its authority. To fully respond to your request, GAO plans to initiate work on this project in about five months when it is expected that staff with the required skills will be available. Your request has been assigned to Ms. Cynthia M. Fagnoni, Managing Director, Education, Workforce, and Income Security. Ms. Fagnoni or a member of her team will contact Ms. Lori Hayman to discuss the request and options for helping you meet your needs. As applicable, we will also be in contact with the cognizant Inspector General's office to ensure that we are not duplicating efforts. If an issue arises during this coordination, we will consult with you regarding its resolution.

If you have any questions, please contact Ms. Fagnoni at 202-512-7202 or Ms. Elizabeth Johnston, Assistant Director, Congressional Relations, on my staff at 202-512-6345.

Sincerely yours,

RALPH DAWN,

Managing Director, Congressional Relations.

I reserve the balance of my time.

Mr. ISSA. I rise to claim time in opposition in order to engage in a colloquy with my colleague.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. ISSA. I yield myself such time as I may consume.

Mr. DAVIS, I hope I understood you correctly so that I could withdraw any objection. I, too, share a belief that the committee of jurisdiction, the Committee on Oversight and Government Reform, since we ordered the GAO to make these studies and they routinely, of course, grant them, I don't see that it should be in the bill. But I'm a little bit confused about whether or not your

request and the acceptance matches the study that was described in the bill.

I yield to you so you could clear that up for me.

Mr. DAVIS of Illinois. I agree that we routinely ask the Government Accountability Office to make studies, to provide information, to give us the kind of information that we need, sometimes in much time, to make the most rational, logical and adequate decisions.

We simply ask in the legislation or indicate in the legislation that we've already asked them to do that and they have already agreed, and that's why we asked that the letter be included indicating their agreement.

Mr. ISSA. Reclaiming my time, so if the gentleman would assure me that if the GAO does not agree to do a study that is commensurate with the one described in the legislation, that he would join with me in asking for that nuance-specific study, then I'd be happy to withdraw because I think his amendment is fully in order if we can assure that.

Mr. DAVIS of Illinois. Well, if you would like, I can tell you here is what the response from the GAO is.

"We received your letter dated June 2, 2008, requesting that the Government Accountability Office review the feasibility and desirability of providing an insurance benefit to Federal employees which would provide partial or total wage replacement."

"GAO accepts your request as work that is within the scope of its authority."

Mr. ISSA. Mr. Speaker, I would withdraw my opposition and urge support for the amendment.

I yield back my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of our time and urge passage of this amendment.

The SPEAKER pro tempore. Pursuant to House Resolution 1277, the previous question is ordered on the bill, as amended, and on the further amendment by the gentleman from Illinois (Mr. DAVIS).

The question is on the amendment by the gentleman from Illinois.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 11, as follows:

[Roll No. 426]

YEAS—422

Abercrombie  
Ackerman  
Aderholt  
Akin  
Alexander  
Allen  
Altmire  
Andrews  
Arcuri  
Baca  
Bachmann

Bachus  
Baird  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman

Berry  
Biggert  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehner

Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd (FL)  
Boyda (KS)  
Brady (PA)  
Brady (TX)  
Braley (IA)  
Broun (GA)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carney  
Carson  
Carter  
Castle  
Castor  
Cazayoux  
Chabot  
Chandler  
Childers  
Clarke  
Cleaver  
Clyburn  
Coble  
Cohen  
Cole (OK)  
Conaway  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crenshaw  
Crowley  
Cubin  
Cuellar  
Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis, David  
Davis, Lincoln  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly  
Doolittle  
Doyle  
Drake  
Dreier  
Duncan  
Edwards (TX)  
Ehlers  
Ellison  
Ellsworth  
Emanuel  
Emerson  
Engel  
English (PA)  
Eshoo  
Etheridge  
Everett  
Fallin  
Farr  
Fattah  
Feeney

Ferguson  
Filner  
Flake  
Forbes  
Fortenberry  
Fossella  
Foster  
Foxy  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Giffords  
Gillibrand  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hastings (FL)  
Hastings (WA)  
Hayes  
Heller  
Hensarling  
Herger  
Herseth Sandlin  
Higgins  
Hill  
Hinchey  
Hinojosa  
Hirono  
Hobson  
Hodes  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Hunter  
Inglis (SC)  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Jordan  
Kagen  
Kanjorski  
Kaptur  
Keller  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klein (FL)  
Kline (MN)  
Knollenberg  
Kucinich  
Kuhl (NY)  
LaHood  
Lamborn  
Lampson  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder

Lipinski  
LoBiondo  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel  
E.  
Lynch  
Mack  
Mahoney (FL)  
Maloney (NY)  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCauley (TX)  
McCollum (MN)  
McCotter  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
McNulty  
Meek (FL)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Oberstar  
Obey  
Olver  
Ortiz  
Pallone  
Pascarelli  
Pastor  
Paul  
Payne  
Pearce  
Pence  
Perlmutter  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Pryce (OH)  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes  
Richardson  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher

Ros-Lehtinen	Shuster	Udall (NM)
Roskam	Simpson	Upton
Ross	Sires	Van Hollen
Rothman	Skelton	Velázquez
Roybal-Allard	Slaughter	Visclosky
Royce	Smith (NE)	Walberg
Ruppersberger	Smith (NJ)	Walden (OR)
Ryan (OH)	Smith (TX)	Walsh (NY)
Ryan (WI)	Smith (WA)	Walz (MN)
Salazar	Snyder	Wamp
Sali	Solis	Wasserman
Sánchez, Linda	Souder	Schultz
T.	Space	Waters
Sanchez, Loretta	Speier	Watson
Sarbanes	Spratt	Watt
Saxton	Stearns	Waxman
Scalise	Stupak	Weiner
Schakowsky	Sullivan	Welch (VT)
Schiff	Sutton	Weldon (FL)
Schmidt	Tancredo	Weller
Schwartz	Tanner	Westmoreland
Scott (GA)	Tauscher	Wexler
Scott (VA)	Taylor	Whitfield (KY)
Sensenbrenner	Terry	Wilson (NM)
Serrano	Thompson (CA)	Wilson (OH)
Sessions	Thompson (MS)	Wilson (SC)
Sestak	Thornberry	Wittman (VA)
Shadegg	Tiberi	Woolsey
Shays	Tierney	Wu
Shea-Porter	Towns	Yarmuth
Sherman	Tsongas	Young (AK)
Shimkus	Turner	Young (FL)
Shuler	Udall (CO)	

## NOT VOTING—11

Clay	Loeb	Stark
Gilchrest	Meeks (NY)	Tiahrt
Gingrey	Reynolds	Wolfe
Hulshof	Rush	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in the vote.

□ 1342

Messrs. PORTER and PEARCE and Ms. SCHWARTZ changed their vote from “nay” to “yea.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 18, 2008.

Hon. NANCY PELOSI,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Ms. Linda H. Lamone, Administrator, Maryland State Board of Elections, indicating that, according to the unofficial returns of the Special Election held June 17, 2008, the Honorable Donna Edwards was elected Representative to Congress for the Fourth Congressional District, State of Maryland.

With best wishes, I am

Sincerely,

LORRAINE C. MILLER,  
Clerk.

Enclosure.

MARYLAND  
STATE BOARD OF ELECTIONS,  
Annapolis, MD, June 18, 2008.

Hon. LORRAINE C. MILLER  
Clerk, House of Representatives,  
The Capitol, Washington, DC.

DEAR MS. MILLER: This letter is to advise you that the unofficial results of the Special Election held on Tuesday, June 17, 2008, for

Representative in Congress from the Fourth Congressional District of Maryland show that Donna Edwards received 15,381 votes or 80 percent of the total number of votes cast for that office on election day excluding absentee and provisional ballots.

It would appear from these unofficial results that Donna Edwards will be certified as the Representative in Congress from Fourth Congressional District of Maryland.

As of the date of this letter, there is no contest to this election.

As soon as the official results are certified, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

LINDA H. LAMONE,  
Administrator.

## SWEARING IN OF THE HONORABLE DONNA EDWARDS, OF MARYLAND, AS A MEMBER OF THE HOUSE

Mr. HOYER. Madam Speaker, I ask unanimous consent that the gentlewoman from Maryland, the Honorable DONNA EDWARDS, be permitted to take the oath of office today.

Her certificate of election has not arrived, but there is no contest and no question has been raised with regard to her election.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER. Will Representative-elect EDWARDS and the members of the Maryland delegation present themselves in the well.

Ms. EDWARDS of Maryland appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 110th Congress.

## WELCOMING THE HONORABLE DONNA EDWARDS TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Maryland (Mr. HOYER), the distinguished majority leader, is recognized for 1 minute.

There was no objection.

Mr. HOYER. I thank the distinguished Speaker for recognizing me for this delightful opportunity.

Madam Speaker, you will appreciate this as much as anybody in this House. I was elected in a special election on January of 1981, actually May of 1981. The Maryland delegation had eight members. Fifty percent of the members of the Maryland House were women. Mrs. Holt, a Republican, Mrs. Spell-

man, my predecessor who had a cardiac arrest and her seat was declared vacant, Mrs. Byron, a distinguished wife and daughter-in-law of two Members of Congress, and actually there were four Byrons that served in the Congress of the United States, and BARBARA MIKULSKI, were all members of the Maryland delegation.

It was a wonderful delegation. One by one, those women left for one reason or another. Senator MIKULSKI, of course, became the first woman elected to the United States Senate without a relative preceding her.

One by one, they were replaced by a male. Those were good males, I want you to know. But our delegation became an all-male delegation. It was, to that extent, not fully representative of the people of our State. We have been advantaged now, not only because Marylanders have elected an extraordinary individual to serve them. She is a highly educated individual. She traveled throughout the world. Her father served in the Air Force. She is well educated. She didn't go to the University of Maryland, which was a lamentable fact, but she went to a great school, Wake Forest University. She got her law degree in New Hampshire. She has served the community well and has served citizens' organizations well.

So in a very real sense, she has been a representative for a very long period of time. This day, however, she begins her career as a representative elected by the constituents of the Fourth Congressional District.

Madam Speaker, I know that I speak on behalf of yourself, on behalf of all the Members of the House and certainly on behalf, DONNA, of the Maryland delegation, we are extraordinarily proud that you have joined us. Our delegation will be stronger, better and more representative because of that. And this institution will be stronger for the strong advocacy that you will bring on behalf not just of the people of the Fourth Congressional District, but the people of this Nation.

Ladies and gentlemen, I am deeply honored to introduce to you a young woman to whom some years ago I gave an appointment to the United States Air Force Academy. She determined that she was going to go to Wake Forest. But she has been my friend for a long time. Ladies and gentlemen, the newest Member of this body, DONNA EDWARDS from the Fourth Congressional District.

She is a mother, lawyer, and long-time community activist and organizer.

Born in Yanterville, North Carolina, she moved frequently as a child.

Her father was in the Air Force, and she traveled throughout the country and world.

She graduated from Wake Forest University and later the Franklin Pierce Law Center (in New Hampshire).

Before attending law school, she worked as a contractor for Lockheed Corporation at Goddard Space Flight Center in Greenbelt.

After law school, she clerked for a superior court judge in Washington, co-founded the National Network To End Domestic Violence, and